

## HISTORY

PRECISION BODY & EQUIPMENT

22001000166

3755 NW 30 Avenue  
LOCATION

[illegible]

## RESOLUTION NO. 4-ZAB-373-90

The following resolution was offered by Georgia A. Wright seconded by Mavel Cruz and upon poll of members present, the vote was as follows:

Thomas A. Conger	aye	Scott Notowitz	aye
Mavel Cruz	aye	Dean Oddy	absent
Gussie Davis	aye	Georgia A. Wright	aye
Colleen Griffin	absent	Kenneth Welt	nay
Jose A. Losa	aye		

WHEREAS, SOUTHERN BELL TELEPHONE & TELEGRAPH COMPANY had applied for the following:

- (1) RESCISSION AND REVOCATION of the non-use variance of height requirements as applied to a wall, including all conditions applicable thereto, of Resolution Z-51-88, passed and adopted by the Board of County Commissioners on the 18th day of February, 1988.
- (2) TO RELEASE a Declaration of Restrictions recorded in Official Record Book 13604, Pages 2132 - 2136, said Declaration accepted pursuant to Resolution Z-51-88, passed and adopted by the Board of County Commissioners on the 18th day of February, 1988.

The purpose of the above requests are to release the subject property from the conditions and restrictions of a governing resolution which approved a variance of wall height, and said variance is not required by the present applicant, and also to release a restrictive covenant in order for the property to be utilized for permitted uses under the existing BU-3 zoning including a Dade County auto emission testing facility.

SUBJECT PROPERTY: Tract "A" of NOVANTONIO ACRES, Plat book 127, Page 57.

LOCATION: The east side of N.W. 30 Avenue, from approximately 115' north of N.W. 36 Street to N.W. 38 Street, Dade County, Florida, and

WHEREAS, a public hearing of the Metropolitan Dade County Zoning Appeals Board was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

WHEREAS, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

4-Zab-373-90

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested rescission and revocation (Item #1) and release of a Declaration of Restrictions (Item #2), on a modified basis, to modify rather than delete the restrictive covenant would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance;

NOW THEREFORE BE IT RESOLVED by the Metropolitan Dade County Zoning Appeals Board that the requested rescission and revocation (Item #1) and release (Item #2), on a modified basis to modify rather than delete the restrictive covenant, be and the same are hereby approved, subject to the following conditions:

1. That the applicants submit to the Planning Department for its review and approval a landscaping plan which indicates the type of plant material and size, to include but not be limited to a 3' high berm as well as dense hedge material a minimum of 3' high at the time of planting and broad branching trees, a minimum of 8' high at the time of planting and planted at a distance of 30' on center, along the westerly portion of the property, adjacent to the trailer park, prior to the issuance of a building permit and to be installed prior to the issuance of a certificate of use and occupancy.
2. That the applicants comply with all conditions and requirements of the Public Works Department and the Department of Environmental Resources Management.
3. That the amended covenant prohibiting contractor's plants, storage yards and lumber yard uses from the property, be submitted, in recordable form to the Building and Zoning Department, prior to the issuance of any building permits.
4. That development of a motor vehicle emissions testing facility be substantially in accordance with the plan entitled "Florida Motor Vehicle Inspection Station" consisting of one sheet, as prepared by Architecture Montenay, Inc., dated 9-7-90.

5. That the southerly portion of the property not be used for the motor vehicle emission testing facility, and, rather, be utilized in accordance with the submitted plan for the sole purpose of providing additional parking area.

BE IT FURTHER RESOLVED, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Dade County Building and Zoning Department and to issue all permits in accordance with the terms and conditions of this resolution.

PASSED AND ADOPTED this 28th day of November, 1990.

Hearing No. 90-11-30  
Typed 12/7/90 bn

RESOLUTION NO. Z-51-88

The following resolution was offered by Commissioner Beverly B. Phillips, seconded by Commissioner Clara Oesterle, and upon poll of members present the vote was as follows:

Barbara M. Carey	aye	Barry D. Schreiber	aye
Clara Oesterle	aye	Jorge (George) Valdez	absent
Beverly B. Phillips	aye	Sherman S. Winn	aye
James F. Redford, Jr.	aye	Stephen P. Clark	absent
Harvey Ruvin	absent		

WHEREAS, SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY, had applied for the following:

- (1) A district boundary change from IU-1 (Light Industry) to BU-3 (Liberal Business)
- (2) NON-USE VARIANCE OF HEIGHT REQUIREMENTS as applied to walls to permit a 6' wall within the side street (N.W. 30<sup>th</sup> Avenue) setback area.

Plans are on file and may be examined in the Zoning Department entitled "Proposed Automobile Dealership for: Airport Mazda", as prepared by E. Frances, A.I.A., dated 12-11-87. Plans may be modified at public hearing.

SUBJECT PROPERTY: Tract "A" of NORANTONIO ACRES, Plat Book 127 at Page 57.

LOCATION: The east side of N.W. 30 Avenue, between N.W. 36 Street and N.W. 38 Street, Dade County, Florida, and

WHEREAS, a public hearing of the Board of County Commissioners, Dade County, Florida, was advertised and held, as required by law, and all interested parties concerned in the matter were heard, at which time the applicant proffered a Declaration of Restrictions to the effect that the property will be developed substantially in accordance with plans submitted for the hearing, that the property will not be used as a contractor's plant, storage yard or lumber yard and that a 6' wall will be erected on N.W. 30 Avenue, and upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary change to BU-3 would be compatible with the neighborhood and area concerned and would not be in conflict with the principles and intent of the plan for the development of Dade County, Florida, and that the requested non-use variance would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance, and should be approved, subject to conditions, and that the proffered Declaration of Restriction should be accepted;

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Dade County, Florida, that the requested district boundary change to BU-3 be and the same is hereby approved and said property is hereby zoned accordingly, subject to the following conditions:

7-51-88

1. That a plot use plan be submitted to and meet with the approval of the Zoning Director; said plan to include among other things but be not limited thereto, location of building or buildings, type and location of signs, light standards, parking areas, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That the use be established and maintained in accordance with the approved plan.

BE IT FURTHER RESOLVED that the requested non-use variance be and the same is hereby approved, subject to the following conditions:

1. That a plot use plan be submitted to and meet with the approval of the Zoning Director; said plan to include among other things but not be limited thereto, location of building or buildings, type and location of signs, light standards, parking areas, exits and entrances, drainage, walls, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Proposed Automobile Dealership for: Airport Mazda", as prepared by E. Frances, A.I.A., dated 12-11-87.
3. That the applicants submit to the Planning Department for its review and approval a landscaping plan which indicates the type of plant material and size prior to the issuance of a building permit and to be installed prior to the issuance of a certificate of use and occupancy.
4. That the use be established and maintained in accordance with the approved plan.
5. That the applicants obtain a Certificate of Use and Occupancy from the Dade County Building and Zoning Department, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions, or, when in the opinion of the Metropolitan Dade County Zoning Appeals Board, after public hearing, it is determined that the use is detrimental to and/or incompatible with the surrounding neighborhood.
6. That the dedication of rights-of-way shall be made in accordance with Sec. 33-133 of the Code of Metropolitan Dade County unless the Director of Public Works deems such are not necessary or requires a lesser amount. Improvements shall be made of such rights-of-way in order to comply with and in accordance with the requirements of the manual of Public Works construction, as may be deemed lacking, desirable and necessary by the Public Works Director. That the dedication and improvement be made at such time as requested by the Public Works Director.
7. That the applicants comply with all conditions and requirements of the Department of Environmental Resources Management.

BE IT FURTHER RESOLVED that, pursuant to Section 33-6 of the Code of Metropolitan Dade County, Florida, the County hereby accepts the proffered Declaration of Restrictions and does exercise its option to enforce the proffered restrictions wherein the same are more restrictive than applicable zoning regulations.

The Zoning Director is hereby directed to make the necessary changes and notations upon the maps and records of the Dade County Building and Zoning Department and to issue all permits in accordance with the terms and conditions of this resolution.

PASSED AND ADOPTED this 18th day of February, 1988.

February, 1988  
No. 87-2-CC-21  
2/26/88  
mr

DADE COUNTY, FLORIDA, BY ITS  
BOARD OF COUNTY COMMISSIONERS

RAYMOND REED

By Richard P. Brinker, Clerk  
Deputy Clerk

This resolution transmitted to the Clerk of the Board of County Commissioners  
on the 29th day of FEBRUARY, 1988.

RESOLUTION NO. Z-147-84

The following resolution was offered by Commissioner Barbara M. Carey, seconded by Commissioner Clara Oesterle, and upon poll of members present the vote was as follows:

Barbara M. Carey	aye	Barry D. Schreiber	aye
Clara Oesterle	aye	Ruth Shack	aye
Beverly B. Phillips	absent	Jorge (George) Valdes	aye
James F. Redford, Jr.	absent	Stephen P. Clark	aye
Harvey Ruvin	aye		

WHEREAS, SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY, had applied for the following:

A district boundary change from GU (Interim) to IU-1 (Light Industry).

SUBJECT PROPERTY: Lots 1 through 10, Block 2, and Lots 1 through 3 and 14 through 16, Block 3, EVERGREEN LAWNS #3, Plat book 21, Page 70, together with that portion of N.W. 37th Street, and 15' wide alley lying within the extensions of the east and west lines of said Block 2 and 3.

LOCATION: From N.W. 29 Court to N.W. 30 Avenue, between N.W. 36 Street and N.W. 38 Street, and

WHEREAS, a public hearing of the Board of County Commissioners, Dade County, Florida, was advertised and held, as required by law, and all interested parties concerned in the matter were heard, and upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary change to IU-1 would be compatible with the neighborhood and area concerned and would not be in conflict with the principles and intent of the plan for the development of Dade County, Florida, and should be approved, subject to conditions;

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Dade County, Florida, that the requested district boundary change to IU-1 be and the same is hereby approved and said property is hereby zoned accordingly, subject to the following conditions:

1. That a plot use plan be submitted to and meet with the approval of the Zoning Director; said plan to include among other things but be not limited thereto, location of building or buildings, type and location of signs, light standards, parking areas, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That the use be established and maintained in accordance with the approved plan.



The Zoning Director is hereby directed to make the necessary changes and notations upon the maps and records of the Dade County Building and Zoning Department and to issue all permits in accordance with the terms and conditions of this resolution.

PASSED AND ADOPTED this 21st day of June, 1984.

June, 1984  
No. 84-6-CC-18  
mr  
6/26/84

DADE COUNTY, FLORIDA, BY ITS  
BOARD OF COUNTY COMMISSIONERS  
Richard P. Brinker, Clerk

By \_\_\_\_\_  
Deputy Clerk

This resolution transmitted to the Clerk of the Board of County Commissioners  
on the 16th day of July 1984.

OFF. REC. 14974PG2099

AMENDED DECLARATION OF RESTRICTIONS

THIS AMENDED DECLARATION is made and entered into this 18 day of March, 1991, by and between Susie Norantonio, Southern Bell Telephone and Telegraph Company, a Georgia corporation, and Metropolitan Dade County.

RECITALS

- A. Susie Norantonio (the "Owner") is the present titleholder of the following real property:

TRACT "A" NORANTONIO ACRES, according to the Plat thereof, as recorded in Plat Book 127, Page 57, of the Public Records of Dade County, Florida (the "Property").

- B. Owner and its tenant, Southern Bell Telephone and Telegraph Company ("Southern Bell") executed a Declaration of Restriction recorded in Official Records Book 13604, at Page 2132-2136 of the Public Records of Dade County, Florida (the "Declaration") with respect to the Property.

- C. Southern Bell appeared at a public hearing before the Metropolitan Dade County Zoning Appeals Board ("Board") and requested the following:

- (1) RESCISSION AND REVOCATION of the non-use variance of height requirements as applied to a wall, including all conditions applicable thereto, of Resolution Z-51-88, passed and adopted by the Board of County Commissioners on the 18th day of February, 1988.
- (2) TO RELEASE the Declaration of Restriction recorded in Official Records Book 13604, at Page 2132-2136, of the Public Records of Dade County, Florida, accepted pursuant to Resolution Z-51-88, passed and adopted by the Board of County Commissioners on the 18th day of February, 1988.

- D. The Board adopted Resolution No. 4-ZAB-373-90 on November 28, 1990, which approved the request C(1) above and approved C(2) above on a modified basis with conditions, subject to the Declaration being modified.

NOW, THEREFORE, in consideration of the foregoing, as set forth in Resolution 4-ZAB-373-90, the Declaration shall be amended as follows:

Prepared BY: William R. Bloom, Esq.  
1200 Brickell Avenue  
Miami, Florida - 33101

1. Paragraph 1 of the Declaration is hereby amended to read as follows:

That said property shall be developed substantially in accordance with the spirit and intent of the plans previously submitted, prepared by Architect Montenay, Inc., dated September 7, 1990, entitled Florida Motor Vehicle Inspection Station.

2. Paragraph 3 of the Declaration shall be deleted in its entirety.
3. This Amended Declaration shall be deemed part of, but shall take precedence over and supersede any provision to the contrary contained in the Declaration.
4. Except as expressly modified herein, all of the provisions of the Declaration which are not in conflict with the terms hereof, shall remain in full force and effect and are hereby ratified and confirmed.
5. Metropolitan Dade County's joinder in the Amended Restrictions signifies same conforms with the intent of the Metropolitan Dade County Zoning Appeals Board Resolution 4-ZAB-373-90 and same amends the Declaration.

OWNER:

*Susie Norantonio*  
SUSIE NORANTONIO

TENANT:

SOUTHERN BELL TELEPHONE AND  
TELEGRAPH COMPANY

By: *R.D. Swanson*

R.D. Swanson, Operations Manager  
Property Management

Approved in form and  
content by Dade County  
Building & Zoning  
Department:

Chester C. Czebrinski  
Chester C. Czebrinski  
Department Legal Counsel

BOARD:

METROPOLITAN DADE COUNTY

By:

Carlos F. Bonzon  
CARLOS F. BONZON, PH.D., P.E.  
DIRECTOR BLDG & ZONING DEPT

STATE OF FLORIDA  
COUNTY OF DADE

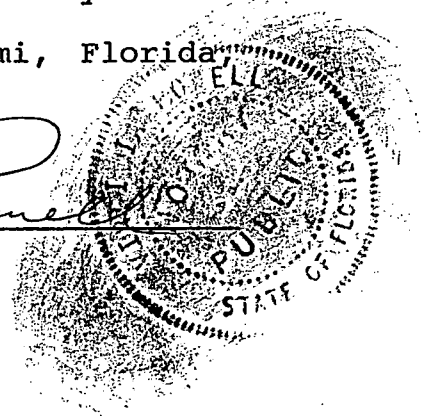
BEFORE ME, the undersigned authority, personally  
appeared CARLOS F. BONZON, PH.D., P.E. the DIRECTOR OF BLDG & ZONING DEPT of  
Metropolitan Dade County, and acknowledged that he executed  
the foregoing Amended Declaration of Restrictions knowingly  
for the purposes stated herein on behalf of the County.

WITNESS my hand and official seal at Miami, Florida,  
this 26 day of March, 1991.

Virginia L. Jones  
Notary Public  
State of Florida

My Commission Expires:

NOTARY PUBLIC STATE OF FLORIDA  
MY COMMISSION EXP. JUNE 13, 1992  
BONDED THRU GENERAL INS. UND.

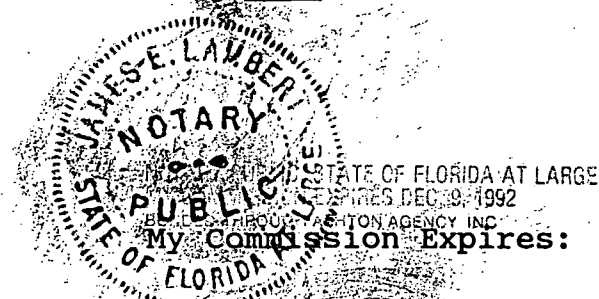


STATE OF FLORIDA  
COUNTY OF DADE

OFF. REC. 14974PG2102

BEFORE ME, the undersigned authority, personally appeared R.D. Swanson, the <sup>operations manager</sup> ~~Property Management~~ of Southern Bell Telephone & Telegraph Company, a Georgia corporation, and acknowledged that he executed the foregoing Amended Declaration of Restrictions knowingly for the purposes stated herein, on behalf of the corporation.

WITNESS my hand and official seal at Miami, Florida, this 19<sup>th</sup> day of March, 1991.



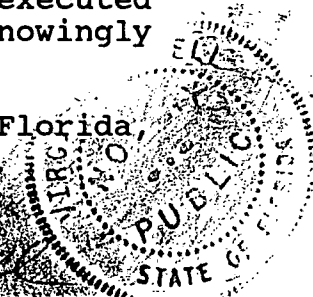
James E. Lamber  
Notary Public  
State of Florida

STATE OF FLORIDA  
COUNTY OF DADE

BEFORE ME, the undersigned authority, personally appeared Chester C. Czebrinski, Department Legal Counsel of Metropolitan Dade County and acknowledged that he executed the foregoing Amended Declaration of Restrictions knowingly for the purposes stated herein.

WITNESS my hand and official seal at Miami, Florida, this 26 day of March, 1991.

Virginia Powell  
Notary Public  
State of Florida



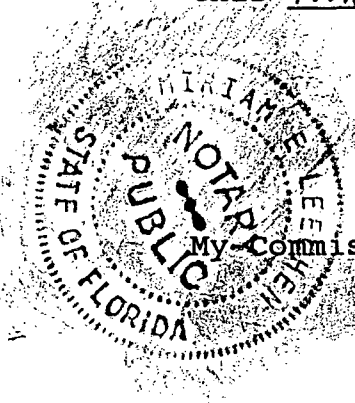
My Commission Expires:

NOTARY PUBLIC STATE OF FLORIDA  
MY COMMISSION EXP. JUNE 13, 1992  
BONDED THRU GENERAL INS. UND.

STATE OF FLORIDA  
COUNTY OF DADE

BEFORE ME, the undersigned authority, personally appeared SUSIE NORANTONIO, the \_\_\_\_\_ of Metropolitan Dade County and acknowledged that she executed the foregoing Amended Declaration of Restrictions knowingly for the purposes stated herein on behalf of the County.

WITNESS my hand and official seal at Miami, Florida, this 18th day of March, 1991.



Miriam E. Luchen  
Notary Public  
State of Florida

My Commission Expires:

NOTARY PUBLIC STATE OF FLORIDA  
MY COMMISSION EXP. JAN. 31, 1992  
BONDED THRU GENERAL FNS. UND.

RECORDED IN OFFICIAL RECORDS BOOK  
OF DADE COUNTY, FLORIDA.  
RECORD VERIFIED  
Clerk of Circuit & County  
Courts